UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/891,300	06/27/2001	Sang-Woo Lee	P-213	1619

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EXAMINER
SHIFERAW, ELENI A

ART UNIT	PAPER NUMBER
2136	

DATE MAILED: 11/21/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

		Application No.	Applicant(s)
Office Action Summary		09/891,300	LEE, SANG-WOO
		Examiner	Art Unit	
		Eleni A. Shiferaw	2136	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on *15 August 2006*.

2a) ☒ This action is **FINAL**.   2b) ☐ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) *1-7,10-17 and 20-30* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) *1-7,10-17 and 20-30* is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____.

DETAILED ACTION

Response to Arguments

1.   Applicant's arguments with respect to presently pending claims 1-7, 10-17, and 20-30, filed on 08/15/2006 have been fully considered but they are not persuasive. The examiner would like to point out that this action is made final (MPEP 706.07a).

2.   The rejection for claims 5 and 14 under 112 lack of antecedent basis is withdrawn.

3.   The Applicant's first argument concerns requiring a withdrawal for 112 first rejection because applicant fails to see why the claims of the present application are rejected based on the disclosure in Applicant's detailed description wherein "the user who uses "Anonymous" is permitted to use only commands other than the commands for file transmission to an external network" as recited in pages 2-3 of the Remark. The examiner respectfully disagrees with the Applicant's contentions. The office has provided multiple Office Actions to reject the Applicant's broad claims limitations because Applicant has amended and changed the limitations multiple times. **Each amendment must comply with the specification and must not cause a 112 issue.** The Examiner clearly understands applicant's limitations and never been confused. **But when claims are not clear enough and cause 112 issues, the claims will never be patentable.**

The examiner rejected the claim limitation based on the specification wherein "the user who uses "Anonymous" is permitted to use only commands other than the commands for file transmission to an external network" **because the limitation has to be rejected in light of specification.** The

examiner clearly understood the explanations given on page 3 lines 9-16 and page 4 lines 3-10 of the Remark during examination. However, the claims limitations must be clearly claimed with no contradicting ideas. The limitations as rejected under 112 in the last office action are not clear and have conflicting ideas. **The user being "Anonymous" .... and permitting access to the user, and the user being "Anonymous" ... and denying/interrupting access to the user is a conflicting/contradiction idea (please refer to the last 112 rejection).** And appropriate correction is required. Therefore, the 112 rejection for claims 1, 5, 14, and all dependent claims are maintained.

The Applicant's argument concerns Stockwell et al. reference failure to disclose, *"the FTP proxy determines whether or not an ID transmitted from an internal user of the internal network is a registered ID"* as recited in claims 1, 5, 14, and 23. The examiner respectfully disagrees with the Applicant's contentions and would like to draw the Applicant's attention to col. 3 lines 18-30 wherein Stockwell discloses regulating the flow of internetwork connections through a firewall having a network protocol stack which includes an IP layer. A determination is made of the parameters characteristic of a connection request, including a netelement parameter characteristic of where the connection request came from. A query is generated and a determination is made whether there is a rule corresponding to that query. If there is a rule corresponding to the query, a determination is made whether authentication is required by the rule. If authentication is required by the rule, an authentication protocol is activated and the connection is activated if the authentication protocol is completed successfully. Col. 4 lines 21-37 of Stockwell et al. discloses A firewall/gateway which can be used to regulate the flow of internetwork connections from an

internal to an external network, review message traffic, message content, provide authentication, and identification services, and access control auditing. Col. 7 lines 10-col. 8 lines 25 of Stockwell et al. discloses a query list contains all of the relevant information needed to make the ACL check. Requests from the internal users to external are checked and determined based on registered user identification.

As per Applicant's arguments concerning Stockwell et al. failure to teach wherein "access control is not performed if the ID transmitted from the internal user is "anonymous" such that the internal user is permitted to connect to a server located in the external network without access control" as recited in claims 1, 5, 14 and 23. The examiner respectfully disagrees with the Applicant's contentions and would like to refer to col. 12 lines 23-44 wherein Stockwell discloses allowing access to "anonymous" FTP. Moreover, the applicant's arguments regarding "any client in the internal security domain can access any FTP server in the external domain" is different from "access control not being performed if the ID transmitted is "anonymous" allowing a user to connect to the external network.

As per Applicant's arguments concerning Stockwell et al. failure to teach checking an ID of the internal user if the received service command is a command requesting data transmission, if the user is "anonymous" interrupting the transmission of the received service command to the external network, and if the user ID is a registered ID other than "anonymous transmitting the received command to the external network and transmitting the data received from the internal user to the external network" as recited in claims 1, 5, 14 and 23. The examiner respectfully

disagrees with the Applicant's contentions and would like to refer to col. 4 lines 29-55 and col. 9

lines 16-31 and 34-39 wherein the firewall proxy is a request access authenticator and the ACL

of the firewall proxy is checked when user access request is received and if the user is not a

registered/known user the request is denied and if the request is in the list, access is allowed and

message content is transmitted.

Claim Rejections - 35 USC § 112

4.   The following is a quotation of the first paragraph of 35 U.S.C. 112:

> The specification shall contain a written description of the invention, and of the manner
> and process of making and using it, in such full, clear, concise, and exact terms as to
> enable any person skilled in the art to which it pertains, or with which it is most nearly
> connected, to make and use the same and shall set forth the best mode contemplated by
> the inventor of carrying out his invention.

5.   Claims 1, 5, 14 and all dependent claims to claims 1, 5, and 14 are rejected under 35

U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s)

contains subject matter which was not described in the specification in such a way as to enable

one skilled in the art to which it pertains, or with which it is most nearly connected, to make

and/or use the invention. Applicant on claim 1 lines 15-lines 17 claims "wherein **access control**

is not performed if the ID transmitted from the internal user **is "Anonymous,"** such that the

internal **user is permitted to a service** located in the external network without access control to

connect to a server located in the external network without access control, ...", and on lines 21-

24 of the same claim "... **if the user ID is "Anonymous," interrupting the transmission of the**

received service command to the external network; and **if the user ID is a registered ID**

other than "Anonymous," transmitting the received service command to the external network

and transmitting the data received from the internal user to the external network,..."

Applicant is claiming two conflicting ideas of limitations. It is not clear what applicant is

trying to claim. It is either there must be different types of request that applicant is trying to

claim or a different kind of access control method, or a different invention that is not clearly

disclosed in the Applicant's disclosure. If the invention is based on different kinds of request (*in*

light of the specification), *then applicant is required to clearly disclose the types of requests in*

the claims. For example, request comprising connection request to external network and data

transmission request to external network,

if the request is connection request to the external network and user is "Anonymous"

then performing no (no second/no further) access control but/and allowing a connection (just

physical connection) to the external network, and

if the request is a data transfer request and user is "Anonymous" then performing an

access control authentication on the user based on user ID and allowing or denying requested file

transmission services based on authentication result....

Applicant discloses, in the specification par. 38, "if the client of the internal network tries

to connect to the FTP proxy to request FTP service from the FTP server 17/external network...",

par. 40 "... if the user ID is "Anonymous," the FTP proxy is permitted to connect to the FTP

server without any particular access control operation. Thus physical connection between the

client and FTP server of the external network is established..." and on par. 46 "...if the received

command is for transmitting files to the external network, the FTP proxy determines whether the

user ID is "Anonymous" the FTP proxy prevents the command from being transmitted to the

FTP server 17. If the user ID is "Anonymous" in the internal network, connection is permitted

without any access control operation. ... **"the user who uses "Anonymous" is permitted to use**

only commands other than the commands for file transmission to an external network".

Examiner rejects the claims based on the highlighted idea above. i.e. request comprising

connecting and transmitting file/data to external network, if the request is for just connection, no

need to perform access control, if request is to transmit file/data performing access control.

Claims 5, are 14 are also rejected based on the same rational as claim 1. It is not clear what the

applicant is intended to say. Appropriate correction is required in response to this Office Action

to avoid abandonment.

Claim Rejections - 35 USC § 103

6.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
> such that the subject matter as a whole would have been obvious at the time the invention was made to a person
> having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the
> manner in which the invention was made.

7.   Claims 1-7, 10-17, and 20-30 are rejected under 35 U.S.C. 103(a) as being unpatentable

over Stockwell et al. USPN 5,950,195 in view of Williams USPN 6,304,973 B1.

Regarding claims 1, 14, and 23, Stockwell et al. teaches a protective device for internal

resource protection in a network (fig. 4), comprising:

        a firewall (fig. 1 element 14, and 18: TCP, Ethernet) between an internal network

(fig. 1 element 26) and an external network (fig. 1 element 22), to selectively perform a

disconnection function for an access request to the external network from the internal

network (col. 4 lines 28-42 and fig. 4 element 110; *terminator firewall*);

a FTP proxy (fig. 2 element 50; *FTP proxy*) to perform an authentication function for an

access request from the internal network to the external network (col. 4 lines 43-55, col. 5

lines 17-35; *FTP proxy with ACL for service and/or connection requests to/from the*

network);

wherein the FTP proxy determines whether or not an ID transmitted from an

internal user of the internal network is a registered ID (col. 7 lines 45-col. 8 lines 29;

FTP proxy determining user accesses based on predefined internal users ID),

wherein access control is not performed if the ID transmitted from the

internal user is "Anonymous," such that the internal user is permitted to connect to a server,

located in the external network without access control (col. 12 lines 23-44; *allowing*

anonymous FTP),

wherein transmitting the data comprises:

checking an ID of the internal user if the received service command is a command

requesting data transmission (col. 9 lines 16-29);

if the user ID is "Anonymous," interrupting the transmission of the received

service command to the external network (col. 9 lines 26-31 and fig. 4 elements 112, 114, and

110); and

if the user ID is a registered ID other than "Anonymous," transmitting the

received service command to the external network and transmitting the data received from

the internal user to the external network (col. 9 lines 34-39 and fig. 4 elements 112, 114,

and 104),

wherein the file system stores data according to a type of the data (col. 5

lines 53-60), and

wherein the type of data is at least one of ASCII, EBCDIC, and

Image (col. 5 lines 53-col. 6 lines 59).

Stockwell et al. fails to explicitly disclose:

to record log information related to the transmission of data by an authenticated

user; and

a database to store log information related to the transmission of data according to the

control of the FTP proxy.

However **Williams** discloses a system of firewall security to provide internal

resource protection from internal user instead of the well known firewall protection of

internal resource from external users (col. 3 lines 5-15) in using multi-level security

network and security level col. 5 lines 3-67):

to record log information related to the transmission of data by an authenticated

user (col. 18 lines 20-58);

a database to store log information related to the transmission of data according to the

control of the FTP proxy (col. 18 lines 20-58).

Therefore it would have been obvious to one having ordinary skill in the art at the

time of the invention was made to employ the teachings of Williams within the system of

Stockwell et al. because they are analogous in network security. One would have been

motivated to incorporate the idea of Williams because it would allow the network

administrator to control every user activities performed in the network by using the well-

known teachings of logging activity information.

Williams discloses a database to record log information on the FTP proxy as

disclosed above. Williams does not explicitly disclose storing the transmitted data however

it is obvious to include a file system to store data transmitted from the internal network to

the external network, at the time of invention, according to the control of the FTP proxy

because it would provide identification of data transmitted for security.

Regarding claim 5, it has similar limitations as claim 1 above. And it has been rejected

based on the same rational as claim 1. And Williams teaches the additional limitations of

claim 5 wherein

if the received service command is a command designating a type of data, storing the

designated type of data in a file system (col. 8 lines 22-67).

Regarding claim 2, Williams discloses the device of claim 1, further comprising a proxy

monitor configured to display the log information outputted from the FTP proxy (col. 18

lines 11-58).

Regarding claim 3, Stockwell et al. further discloses the device of claim 1, wherein a client

connects to a FTP server of the external network through the FTP proxy (col. 4 lines 21-

55).

Regarding claims 4 and 13, Williams teaches the device of claim 1, wherein the log information

comprises a file name and absolute path of the file data to be stored in the FTP server, and a file

name and absolute path of the file data logged on the FTP proxy (col. 17 lines 66-col. 18 lines 58).

Regarding claim 6, Stockwell et al. teaches the method of claim 5, wherein determining whether the access request is permitted further comprises:

controlling access by determining whether a host that has transmitted the access request is a registered host or not, if the ID of the internal user is a registered ID (col. 9 lines 10-57).

Regarding claims 7, 15, and 27, Stockwell et al. teaches the method of claim 6, wherein controlling the access comprises:

determining whether the ID transmitted from the internal user is a registered ID (col. 9 lines 10-57);

if the ID is registered, reading host information corresponding to the registered ID from the database (col. 9 lines 34-39);

determining whether the host information read from the database and the host who has transmitted the access request are identical (col. 9 lines 10-57); and

permitting access to the external network if the two hosts arc identical (fig. 4 element 104).

Regarding claims 10, 16, and 28, the combination teach the method of claim 5 recording the transmission and reception of services comprises:

receiving file data to be transmitted from the internal user to the external network (Fig. 2

element 50, and Stockwell et al. col. 8 lines 39-col. 9 lines 40);

identifying the file data according to its data type to store the file data in the file

system (Stockwell et al. col. 8 lines 39-col. 9 lines 40 and Fig. 2 element 50); and

recording log information on the transmission of file data in a database (Williams col. 18

lines 11-67).

Regarding claim 11, Williams teaches the method of claim 10, wherein the filed data can be

identified by the user as a designated data type or can be identified as a default data type (col. 10

lines 56-65).

Regarding claim 12, Williams teaches the method of claim 10 wherein the log information is

recorded in the database when all data to be transmitted from the internal user to the external

network is transmitted (col. 18 lines 11-27).

Regarding claims 17 and 29, Williams teaches the method of claim 16, wherein the log

information comprises a user ID for performing file data transmission, a source IP address

of the client being used by the internal user, a destination IP address of the FTP server that

receives the file data, a date and time of file data transmission, a file name and absolute

path of the file data to be stored in the FIT server, and a file name and absolute path of the

file data logged on the FTP proxy (col. 18 lines 11-59).

Regarding claim 20, Stockwell et al. teaches the device of claim 1, further comprising a client, coupled to the firewall and to the FTP proxy, to request FTP service from the external network if the FTP proxy successfully authenticates the client (col. 4 lines 23-55 and col. 5 lines 7-47 and fig. 2; performing access control check on the user connected to firewall and FTP proxy).

Regarding claims 21, 22, and 30, Williams teaches the method of claim 10, further comprising outputting the log information in a form recognizable to a system operator (col. 18 lines 20-28; log file).

Regarding claim 24, Stockwell et al. and Williams disclose all the subject matter as described above. Williams further discloses the method of claim 23, wherein storing the copy comprises storing the copy of the transmitted data (see claim 1 above) and the log information in the database of a file system (col. 18 lines 20-28; log file).

Regarding claim 25, Stockwell et al. teaches the method of claim 24, wherein the file system stores data based on a type of the data (col. 5 lines 53-col. 6 lines 59; FTP proxy storing files to be transmitted.).

Regarding claim 26, Stockwell et al. teaches the method of claim 25, wherein the type of data comprises one of the group of ASCII, EBCDC and Image (col. 5 lines 53-col. 6 lines 59).

Conclusion

8.   The prior art made of record and not relied upon is considered pertinent to applicant's

disclosure. BorderWare Firewall Server 5.0, and BorderWare Firewall Version 5.0, disclose the

well known FTP proxy authentication for accesses requested from the internal user to external

user and Log file.

9.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Eleni A. Shiferaw whose telephone number is 571-272-3867.

The examiner can normally be reached on Mon-Fri 8:00am-5:00pm.

        If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Ayaz R. Sheikh can be reached on 571-272-3795. The fax phone number for the

organization where this application or proceeding is assigned is 571-273-8300.

        Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

E.S.

November 7, 2006

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11/08/06